



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

OCT 28 2014

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-133

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

Mr. Ronald Nebert
Ocean Beauty Seafoods, LLC
P.O. Box 70739
Seattle, Washington 98107

Re: July 15, 2014, NPDES Compliance Inspection
NPDES ID Number AKG520092

Dear Mr. Nebert:

On behalf of the United States Environmental Protection Agency (EPA), I would like to express my appreciation for your time and cooperation during the July 15, 2014, federal Clean Water Act (CWA) inspection of your facility. The purpose of the inspection was to gather information regarding your operation as part of an overall and ongoing evaluation of the compliance status of your facility with the CWA and the Seafood General Permit (Permit). During the inspection, EPA found the following violations:

1. Grind size: Part V.C.1.b of the Permit states "A permittee shall route all seafood processing wastes through a waste conveyance and treatment system. The waste solids discharged from its outfall(s) shall not exceed one-half (0.5) inch in any dimension."

During the inspection, the inspector noted that the effluent sample contained pieces of fish waste larger than a ½ inch. EPA also noted during the review of the annual reports on-site that in 2011, 2012, and 2013, your facility exceeded the grind size on 3, 4, and 4 occasions, respectively. Grinder logs for the 2014 processing season indicated that there had been 10 instances of grind size exceedences. Facility representatives commented that one possible reason for the increase in exceedences in 2014 was due to the fact that the forecasted production for the 2014 season was 17 million pounds and at the time of the inspection your facility had processed 27 million pounds already (more than 60% above forecast). In addition, the sample collected during the inspection contained a few pieces of seafood processing waste larger than ½". Failure to grind waste to a ½ inch is violation of Part V.C.1.b of the Permit.

2. Annual Report: Part V.1.e of the Permit states "Failure of the one-half inch grinding size shall be reported to EPA and ADEC in accordance with Part VII.C and summarized in the annual report."

During the inspection and after the inspection, annual reports were reviewed and inspectors noted that the grind size exceedences were not summarized in the annual reports for 2011-2013. This is a violation of Part V.1.e of the Permit.

The following areas of concern were also noted during the inspection:

Grinder Sample: Part V.C.1.e requires permittees to sample the grinder effluent as part of ensuring the grind size is ½ inch or less. During the inspection, inspectors noted that the mesh plastic basket used to collect the sample had ¼" holes, which may allow pieces of seafood waste longer than ½" to pass through. If this occurs, the sample may not be representative of the effluent.

Refrigerated Seawater: During the inspection, one of the refrigerated seawater (RSW) tanks was overflowing onto the dock and walkway below the dock and onto the shoreline below. Although screens were placed around some of the RSW tanks, there was not a screen around the tank that was overflowing. EPA encourages you to evaluate your procedures regarding the RSW tanks and take corrective measures to prevent overflows.

It is EPA's goal to ensure facilities comply fully with their permits, but the ultimate responsibility rests with the facility. As such, we encourage your company to continue its efforts to maintain full knowledge of the Permit requirements and to take appropriate measures to ensure full compliance.

If you have any questions or concerns regarding this matter, please contact Tara Martich, NPDES Compliance Officer, at (907) 271-6323.

Sincerely,



Edward J. Kowalski
Director

cc: Mr. Mike Solter
Alaska Department of Environmental Conservation